

REMARKS

In view of the preceding amendments and the comments which follow, and pursuant to 37 C.F.R. § 1.111, amendment and reconsideration of the Official Action of February 12, 2004 is respectfully requested by Applicant.

Summary

Claims 1 – 22 stand rejected. Claims 1 – 22 are pending following entry of the present amendments.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1 – 3, 5 – 7, 13 – 15, 21 and 22 under 35 U.S.C. § 103 (a) as being unpatentable over Palalau (US 6,373,472) in view of Brynielson (US 6,556,900). Applicant respectfully traverses these rejections.

The pending independent claims 1, 3, 9, 11, 21 are directed to an input device which comprises a plurality of function switches, a controller unit, a first warning unit, and a mistake counter means.

These independent claims 1, 3, 9, 11, 21 further recite “the mistake counter means determines that the preceding manual operation of the function switch is a mistake when another function switch is manually operated within a predetermined period of time after any one of the function switches has been manually operated, and increments the counted number of mistakes by counting the preceding manual operation of the function switch as a mistake.” Applicant submits that the above recited feature is not taught or suggested by either Palalau or Brynielson.

Although, the Examiner does acknowledge in the Office Action that Palalau fails to teach a mistake counter means for monitoring the manual operation on the function switches to count and store the number of mistakes on each of feature switches, Applicant submits the Examiner does not point out that Palalau also fails to teach or suggest the feature recited in the above paragraph.

In addition, the Examiner states that the Brynielson reference does teach a device and a system for diagnosing errors, but does not state whether Brynielson does suggest or teach Applicant's claimed feature recited above.

Further, upon review of the cited references, Applicants has failed to find a corresponding suggestion or teaching in either one of these references.

If the Examiner has intended to assert that the cited references may be combined to teach or suggest the subject matter of these independent claims, no suggestion or motivation exists in these two references to utilize the mistake counter means to determine that the preceding manual operation of the function switch is a mistake when another function switch is manually operated within a predetermined period of time after any one of the function switches has been manually operated. As such, Applicants submit that independent claims 1, 3, 9, 11, 21 are patentable over Palalau and Brynielson, and dependent claims 2, 5 – 7, 10, 13 – 15, and 22 are likewise patentable over these two references. Applicant respectfully requests that the rejections of claims 1 – 3, 5 – 7, 13 – 15, 21 and 22 under 35 U.S.C. § 103 (a) be withdrawn.

The Examiner has next rejected claims 4, 8, 12 and 16 under 35 U.S.C. § 103 (a) as being unpatentable over Palalau (US 6,373,472) in view of Brynielson (US 6,556,900), and further in view of Hermann (US 5,270,689). Applicant respectfully traverses these rejections.

The Examiner states that although the combination Palalau and Brynielson do not teach a second warning/notification, the Hermann reference teaches a warning/notification aid by means of providing an acoustic voice output such as beeping noise to provide a vehicle user with an aid for the selection of the correct function group or individual function. However,

Applicant submits that Hermann is also silent on the previously recited feature. Specifically, the claimed feature that the mistake counter means determines that the preceding manual operation of the function switch is a mistake when another function switch is manually operated within a predetermined period of time after any one of the function switches has been manually operated, and increments the counted number of mistakes by counting the preceding manual operation of the function switch as a mistake.

Thus, Applicant submits that the above recited feature is thus not taught or suggested by Palalau, Brynielson or Hermann. If the Examiner has intended to assert that the three cited references may be combined to teach or suggest

the subject matter of these independent claims, no suggestion or motivation exists in these three references to utilize the mistake counter means to determine that the preceding manual operation of the function switch is a mistake when another function switch is manually operated within a predetermined period of time after any one of the function switches has been manually operated.

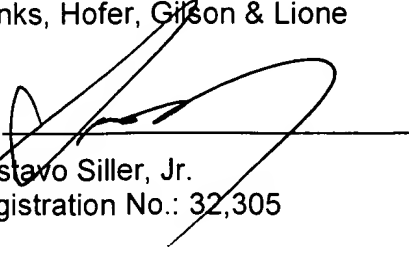
As such, Applicant submits that independent claims 4, 8, 12, and 16 are patentable over Palalau, Brynielson, and Hermann. Dependent claims 16, 18, and 20 are likewise patentable over these three references. Applicant respectfully requests that the rejections of claims 4, 8, 12 and 16 under 35 U.S.C. § 103 (a) be withdrawn.

Conclusion

Applicant submits that this application is now in condition for allowance, and favorable reconsideration of this application in view of the above amendments and remarks is respectfully requested. Allowance of claims 1 - 22 at an early date is earnestly solicited. If, there are additional fees due, Applicant requests that this paper constitutes any necessary petition and authorizes the Commissioner to charge any underpayment, or credit any overpayment, to Deposit Account No. 23-1925.

If the examiner finds that there are any outstanding issues which may be resolved by a telephone interview, the Examiner is invited to contact the undersigned at the below listed number

Respectfully submitted,
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